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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,951	10/15/2003	Peijun Jiang	2003B043/2	8802

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EXAMINER

CAIN, EDWARD J

ART UNIT PAPER NUMBER

1714

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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Office Action Summary	Application No. 10/686,951	Applicant(s) JIANG ET AL.	
	Examiner Edward J. Cain	Art Unit 1714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 11 October 2006.
- 2a) This action is **FINAL**.
- 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-71, 109-116, 171-184 and 360-375 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-14, 16, 17, 19, 20, 23-25, 29-71, 109-112, 114-116, 171-184 and 360-375 is/are rejected.
- 7) Claim(s) 15, 18, 21, 22, 26-28 and 113 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 - 1. Certified copies of the priority documents have been received.
 - 2. Certified copies of the priority documents have been received in Application No. _____.
 - 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) Notice of Informal Patent Application
- 6) Other: _____

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The amendment received 10/11/06 has been made of record. Claims 1-71, 109-116, 171-184 and 360-375 are pending.

Claims 1-14, 16-17, 19-20, 29-55, 64-71, 109-112, 114-116 and 171-184 are rejected under 35 U.S.C. 102(e) as being anticipated by Markel et al.

This rejection is repeated for reasons of record with the following additional comments.

The instantly claimed physicochemical properties not explicitly recited by the reference are seen as inherent to the polymers of the reference since the monomeric makeup, molecular weight and g' limitations are met.

Applicant has argued that the reference does not teach at least 50 mol% of one or more C3-40 monomers. Applicants' attention is directed to column 2, lines 60-65.

Applicants have argued that the reference fails to teach a g' higher than 0.95. Applicants are reminded that the instant claims do not require g' values of higher than 0.95 but only require that g' values be less than or equal to 0.95.

Applicants have argued that claims 361-375 "mention many other aspects of the invention". Claims 360-375 are now rejected under 35 USC 103 as a result.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 23-25, 56-63 and 360-375 are rejected under 35 U.S.C. 103(a) as being unpatentable over Markel et al in view of Baetzold et al.

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Markel et al disclose propylene based polymer compositions suitable for hot melt adhesives as discussed previously. The reference fails to explicitly recite glue sticks and additive materials.

Baetzold et al disclose polyolefin compositions suitable for hot melt glue sticks. These compositions are taught as advantageously comprising tackifier resins, oil or phthalate plasticizers, wax and various additives meeting the limitations of the rejected claims.

Applicants' further recitation of physicochemical properties are seen as inherent to the compositions taught by the references since chemical ingredient requirements are met.

Claims 15, 18, 21, 22, 26-28 and 113 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward J. Cain whose telephone number is (571) 272-1118. The examiner can normally be reached on M-F from 10:00 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan, can be reached on 571 272-1119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

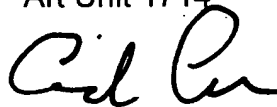
Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Edward J. Cain
Primary Examiner
Art Unit 1714

A handwritten signature in black ink, appearing to read "Ed Cain", is written below the typed name and title.